

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)
DECLARATION AND POWER OF ATTORNEY**

FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **UNIVERSAL MICROPLATE ANALYZER**, the specification of which: (mark only one)

- X (a) is attached hereto.
_____ (b) was filed on _____ as Application Serial No. _____
and was amended on _____ (if applicable)
_____ (c) was filed as PCT International Application No. PCT/_____ on
_____ and was amended on _____ (if applicable).
_____ (d) was filed on _____ as Application Serial No. _____
and was issued a Notice of Allowance on _____.
_____ (e) was filed on _____ and bearing attorney docket number _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

| <u>Number</u> | <u>Country</u> | <u>Month/Day/Year</u> <u>Filed</u> | <u>Date first</u> <u>laid-open or</u> <u>Published</u> | <u>Date</u> <u>patented or</u> <u>Granted</u> | <u>Priority Claimed</u> | |
|---------------|----------------|---------------------------------------|--|---|-------------------------|-----------|
| | | | | | <u>Yes</u> | <u>No</u> |
| NONE | | | | | | |

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

| (Application Serial No.) | (Filing Date) | (Status) |
|--------------------------|---------------|----------|
| 06/211,560 | 06/15/2000 | Pending |

I hereby appoint:

TIMOTHY G. ACKERMANN, Reg. No. 44,493
THOMAS E. ANDERSON, Reg. No. 37,063
BENJAMIN J. BAI, Reg. No. 43,481
MICHAEL J. BLANKSTEIN, Reg. No. 37,097
MARY JO BOLDINGH, Reg. No. 34,713
MARGARET A. BOULWARE, Reg. No. 28,708
ARTHUR J. BRADY, Reg. No. 42,356
MATTHEW O. BRADY, Reg. No. 44,554
DANIEL J. BURNHAM, Reg. No. 39,618
THOMAS L. CANTRELL, Reg. No. 20,849
RONALD B. COOLLEY, Reg. No. 27,187
THOMAS L. CRISMAN, Reg. No. 24,846
STUART D. DWORK, Reg. No. 31,103
WILLIAM F. ESSER, Reg. No. 38,053
ROGER J. FRENCH, Reg. No. 27,786
JANET M. GARETTO, Reg. No. 42,568
JOHN C. GATZ, Reg. No. 41,774
RUSSELL J. GENET, Reg. No. 42,571
J. KEVIN GRAY, Reg. No. 37,141

STEVEN R. GREENFIELD, Reg. No. 38,166
J. PAT HEPTIG, Reg. No. 40,643
SHARON A. ISRAEL, Reg. No. 41,867
JOHN R. KIRK JR., Reg. No. 24,477
PAUL R. KITCH, Reg. No. 38,206
TIMOTHY M. KOWALSKI, Reg. No. 44,192
HSIN-WEI LUANG, Reg. No. 44,213
JAMES F. LEA III, Reg. No. 41,143
ROBERT W. MASON, Reg. No. 42,848
ROGER L. MAXWELL, Reg. No. 31,855
ROBERT A. McFALL, Reg. No. 28,968
STEVEN T. McDONALD, Reg. No. 45,999
LISA H. MEYERHOFF, Reg. No. 36,869
STANLEY R. MOORE, Reg. No. 26,958
RICHARD J. MOURA, Reg. No. 34,883
MARK V. MULLER, Reg. No. 37,509
P. WESTON MUSSELMAN JR. Reg. No. 31,644
DANIEL G. NGUYEN, Reg. No. 42,933
SPENCER C. PATTERSON, Reg. No. 43,849

RUSSELL N. RIPPAMONTI, Reg. No. 39,521
STEPHEN G. RUDISILL, Reg. No. 20,087
HOLLY L. RUDNICK, Reg. No. 43,065
J.L. JENNIE SALAZAR, Reg. No. 45,065
KEITH W. SAUNDERS, Reg. No. 41,462
JERRY R. SELINGER, Reg. No. 26,582
GARY B. SOLOMON, Reg. No. 44,347
WAYNE O. STACY, Reg. No. 45,125
STEVE Z. SZCZEPANSKI, Reg. No. 27,957
ANDRE M. SZUWALSKI, Reg. No. 35,701
ALAN R. THIELE, Reg. No. 30,694
TAMSEN VALOIR, Reg. No. 41,417
RAYMOND VAN DYKE, Reg. No. 34,746
BRIAN D. WALKER, Reg. No. 37,751
GERALD T. WELCH, Reg. No. 30,332
HAROLD N. WELLS, Reg. No. 26,044
WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of **JENKENS & GILCHRIST, a Professional Corporation**, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Harold N. Wells, Esq.
Jenkins & Gilchrist, P.C.
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799
312/425-3900 (telephone)
214/855-4500 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S):

1 David Dickson Booker

| Full Name | Inventor's Signature | Date |
|--|----------------------|------|
| 1516 South Wabash, Chicago, IL 60605 | United States | |
| Residence (city, state, country) | Citizenship | |
| same as above | | |
| Post Office Address (include zip code) | | |

2 Robert E. Fischer

| Full Name | Inventor's Signature | Date |
|--|----------------------|------|
| 5717 Stone Mountain Lane, Westlake Village, CA 91362 | United States | |
| Residence (city, state, country) | Citizenship | |
| same as above | | |
| Post Office Address (include zip code) | | |

3 Dr. Michael P. Newell

| Full Name | Inventor's Signature | Date |
|---|----------------------|------|
| 1533 Eucalyptus Circle, Thousand Oaks, CA 91360 | United States | |
| Residence (city, state, country) | Citizenship | |
| same as above | | |
| Post Office Address (include zip code) | | |

4 David W. Kappel

| Full Name | Inventor's Signature | Date |
|--|----------------------|------|
| 4834 Lehrer, San Diego, CA 92117 | United States | |
| Residence (city, state, country) | Citizenship | |
| same as above | | |
| Post Office Address (include zip code) | | |

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NAMED INVENTOR(S):

5 Scott Moritz
 Full Name **Inventor's Signature** **Date**

15337 Summit Avenue, Villa Park, IL 60181 United States
Residence (city, state, country) **Citizenship**

same as above
Post Office Address (include zip code)

6 Jerome E. Oleksy
 Full Name **Inventor's Signature** **Date**

1004 S. Vine Avenue, Park Ridge, IL 60068-4822 United States
Residence (city, state, country) **Citizenship**

same as above
Post Office Address (include zip code)

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